

FILED

MAY 21 2004


CLERK

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION**

GATEWAY, INC.,

Plaintiff,

vs.

ENER1, INC. a Florida corporation,
f/k/a Inprimis, Inc., f/k/a Boca Research, Inc.; and
BOCA GLOBAL, INC., a Florida corporation;

Defendants.

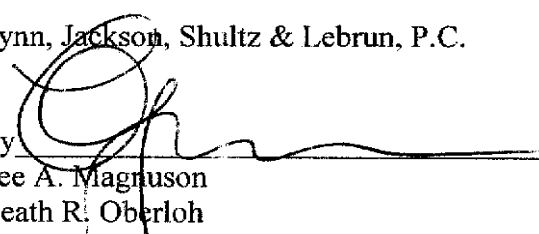
CIV. 04-4055

**AMENDED
DISMISSAL WITHOUT
PREJUDICE**

COMES NOW GATEWAY, INC. by and through its attorney, Lee A. Magnuson, and pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, dismisses this case without prejudice.

Dated this 21ST day of May, 2004.

Lynn, Jackson, Shultz & Lebrun, P.C.

By 
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